Questions and Answers
RFQQ 05-15

Q: In Attachment G, page 10, the last paragraph seems to be incomplete. The sentence is not coherent, and there is a "(to be determined)" phrase after the sentence. Are there any more details about this issue?

A: The sent registration will either be an update or a new registration type. BizTalk will route the message to OSOS VRDB. The state VRDB will perform appropriate actions based on the message received and a notification will be sent back to the counties to perform the appropriate actions. A confirmation XML message may be required to send to OSOS VRDB based on notification. BizTalk 2004 will route the notification message back to the correct counties. An optional OSOS web interface will allow counties to input registration information into the state VRDB.

There may be other transaction types identified as the project develops and further requirements may be identified.

Q: Could you please confirm that the following paragraph is to be interpreted to mean that all voter registration vendors will be considered as having a conflict of interest? It is not our intention to bid given this condition, however, we just want to make sure that some other voter registration vendor will then not be selected, whether they are part of the four existing vendors or not.

"b. Consultants must clearly disclose any formal affiliation with a hardware/software manufacturer or vendor, including employment with such an entity or serving as a seller/reseller of the vendor's products. If, after Agency review of this information it is determined by the Agency that a conflict of interest exists such that the Consultant may not provide an objective approach to the work being requested, the Consultant may be disqualified from further consideration for the award of a contract."

A: The language in the RFQQ is standard "boilerplate" language that would potentially encompass more than election management system vendors. At this point, it is not our intent to preclude or exclude bids from any election management system vendors. You should not interpret this language to mean that we are automatically assuming that election management system vendors have a conflict of interest. This language only provides the agency with discretion to reject bids if, after review, we believe that the vendor could not approach the work objectively.

Q: **Can you please provide specific details on who is not eligible to respond to this RFQQ?**

Specifically,

1) Are the four VR/EMS vendors that have a MOU with the Secretary of State prohibited?

2) Are all VR/EMS vendors regardless of their MOU status prohibited?

A: See answer to question above.

Q: **I wanted to touch base with you on the Letter to notify our intent to bid. I know it is due December 27th, but I'm not sure the format. Should it be softcopy or via post?**

A: The Notice of Intent can be in any written format that you'd like – hard copy or email – both are fine.

Q: **Your response, while in writing and certainly to be taken as the official position of the State, appears to be different than we've had during a Nov. 18 phone call, initiated by the State whereby it was clearly stated that Voter Registration vendors would be viewed as having a "conflict of interest". Based on this information, we have not intended to bid. This conversation was a conference call with other vendors as well, requested by the State on this project, not initiated by the vendors.**

I'm not trying to make a bigger deal out of this than it is, but based on the "conflict of interest" statements to date, we have had no intention of bidding. However, we also want to make sure that another voter registration vendor is not then given the contract whereby we would then be asked to provide proprietary information to another Voter Registration or Election Management vendor.

A: The previous statements were verbal and therefore unofficial, and were made following issuance of the initial RFQQ (05-14) which was subsequently cancelled. Therefore, those previous responses should not be considered in relation to the current RFQQ (05-15).

Currently, the agency assumes that the Contractor will have minimal access, if any at all, to proprietary data of any election management system (EMS) vendors. The agency's proposed work flow assumes that data will be transferred from county systems to the state using XML schemas. The Extensible Markup Language (XML) schemas that will be used are designed by the agency. The XML allows for standardized data transfers without gaining access to proprietary source code or database design. Therefore, we are not assuming any automatic

conflicts of interest with EMS vendors. However, as stated in the RFQQ Section 3.2.1 (b), the agency still retains the right to disqualify proposals from Consultants if, after review of the proposal, the agency determines that a conflict of interest exists.